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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/441,271	11/16/1999	STEPHAN MEYERS	6064-11	4110
32729	7590	12/02/2003		
WAYNE DEMELLO NOKIA INC. 5 WAYSIDE ROAD BURLINGTON, MA 01803			EXAMINER NGUYEN, KEVIN M	
			ART UNIT 2674	PAPER NUMBER 18

DATE MAILED: 12/02/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/441,271

Applicant(s)

MEYERS ET AL.

Examiner

Kevin M. Nguyen

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2674

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 20 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 46-52 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 46-52 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

## Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Request for Continued Examination***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/20/2003 has been entered. An action on the RCE follows:

### ***Specification***

2. The disclosure is objected to because it contains an embedded hyperlink and/or other form of browser-executable code (page 3, line 21, and page 9, line 1). Applicant is required to delete the embedded hyperlink and/or other form of browser-executable code. See MPEP § 608.01.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 46, 47 and 49-51 are rejected under 35 U.S.C. 102(e) as being anticipated by Redford et al "previously cited" (US 6,327,459).

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As to claims 46 and 50, Redford et al teach a hand-held portable electronic display device associated with a method comprising a display A1-A7 (column 18, lines 26-32), a memory for storing a storage media in an encrypted format (an encrypted format is met protected information limitation of claim) associated with a first decryption code (see column 17, line 40), a removable cover (511,512) (column 17, lines 3-5); an identify reader (516) (a tag affixed, column 17, line 18) associated with a second decryption code; a printed circuit board (210) (a circuitry coupled with said display and with said memory, see figure 5L, column 20, lines 47-49);

during the mounting, a bar code pattern 521I (the first decryption code) printed on second portion 521B is read by the identify reader 516 (the second decryption code), thereby to determine/compare the first decryption code and the second decryption code (column 17, lines 32-34);

each of page marks 523A-523N (figure 5A), such as mark 523I (figure 5J) has identical printed content (e.g. "TOUCH AND VIEW®") (a touch display screen, column 18, lines 12-14). The user must touch a page mark 523I first, and thereafter touch one of areas A1-A7 to indicate the associated electronic content 13 (figure 1) to be displayed (column 18, lines 26-29).

As to claims 47 and 51, Redford et al teach the hand-held portable electronic display device associated with the method comprising when a user removes the leaf 31 (figure 1) from the cover 32, during the removal process a button 202 (figure 7) is once again closed (put into code), thereby triggering (reset/clear 16, figure 7) a

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microcontroller 703 including the memory to read bar code pattern 113 (column 27, lines 27-30).

As to claim 49, Redford et al teach a remote control (500) comprising the cover (511, 512) including the second decryption code is read by the identify reader (516) (said tag) using a wireless connection (see figure 5A, column 17, lines 3-6).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 48 and 52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Redford et al in view of Munyan "previously cited" (US 5,761,485).

As to claim 48 and 52, Redford et al teach all of the claimed limitations of claim 46, except for "a receiver for wirelessly receiving into said memory said protected information in an encrypted format and said first decryption code." However, Munyan teaches a related hand-held portable electronic display device associated with a method comprising a wireless (350) for wirelessly receiving into a memory (RAM), protected information (security identification code) in an encrypted format and a first decryption code (see figure 3, column 14, lines 33-36, and lines 59-64). It would have been obvious to a person of ordinary skill in the art at the time of the invention to utilize the wireless receiver (350) taught by Munyan for Redford et al's portable electronic display device because this would automatically access an on-line database service,

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automatically download selections from this database, and then store these downloaded selections for later display by a user (column 4, lines 64-67 of Munyan), while reducing inventory, distribution and printing costs for publishers (column 4, lines 50-51 of Munyan).

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Kevin M. Nguyen** whose telephone number is **703-305-6209**. The examiner can normally be reached on MON-THU from 9:00-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Richard A Hjerpe** can be reached on **703-305-4709**.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to: (703) 872-9314 (for Technology Center 2600 only)**

Hand-delivered response should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

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Kevin M. Nguyen  
Patent Examiner  
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November 20, 2003